

# **Exhibit J**

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August 7, 2023

**VIA EMAIL**

Scott Ketterer, Esq.  
 Methfessel & Werbel, P.C.  
 2025 Lincoln Highway  
 Edison, NJ 08818

Re: *Bais Brucha Inc., et al. v. Township of Toms River, New Jersey, et al.*  
 Case No. 3:21-cv-03239-ZNQ-RLS

Dear Scott:

I write with respect to the deficiencies in all of the Defendant Township of Toms River's ("Township") Responses to Plaintiffs' Second Request for Documents dated April 12, 2023. Defendant Township's failure to properly respond has harmed Plaintiffs because they must now delay their preparation for depositions. We are sending this letter in an effort to avoid Motions practice. We propose a meet and confer for next week for Tuesday, August 8, 2023 at 2:00 PM. The deficiencies are as follows:

**Defendant Township's Responses to Plaintiffs' Document Requests**

1. *All documents, including communications, relating to the "Quality of Life Task Force."*

**RESPONSE:** See General Objections. Further, this request seeks information that is not relevant to the claims advanced by Plaintiff's in their First Amended Complaint. Defendants further object to this request insofar as it is unduly burdensome and not likely to lead to the discovery of relevant admissible evidence. However, in an effort to be responsive to this request Plaintiffs are directed to the attached documents as well as the forthcoming ESI Production.

**Plaintiffs' objection:** This Response is non-responsive. This Request seeks documents that are readily available to Defendant Township and are relevant to Plaintiffs' claims. The First Amended Complaint sets out allegations in paragraphs 111-130 regarding the animus expressed by Township residents against the Orthodox Jewish community as well as the Township's willingness to enact laws in response. From the documents produced by the Township in response to Plaintiffs' First Request for Production of Documents, the Plaintiffs learned for the first time there exists a Quality of Life Task Force ("Task Force") in the Township (e.g. TOMSRIVER\_ESI006201-TOMSRIVER\_ESI006202 TOMSRIVER\_ESI006201). Based on a document produced in Defendant Township's response to Plaintiffs' second request for

production—TOMS RIVER\_BB\_0000174—the Task Force was formed in the period of time mentioned in paragraphs 111-130 and just before the Subject Property (as defined in ECF No. 61 ¶ 1) was purchased in December of 2017. Further, Plaintiffs are within their rights to inquire into information that becomes known to them during the course of the discovery process. Pursuant to the standard set forth in Federal Rule of Civil Procedure 26(b)(1), please provide the information sought.

*2. All communications, including emails and attachments, sent by, received by, or copied to the email address of “QualityoflifeTaskForce@trpolice.org”.*

**RESPONSE:** See General Objections. Further, this request seeks information that is not relevant to the claims advanced by Plaintiff's in their First Amended Complaint. Defendants further object to this request insofar as it is unduly burdensome and not likely to lead to the discovery of relevant admissible evidence. However, in an effort to be responsive to this request Plaintiffs are directed to the attached documents as well as the forthcoming ESI Production.

**Plaintiffs' objection:** This Response is non-responsive. This Request seeks documents that are readily available to Defendant Township and are relevant to Plaintiffs' claims. The First Amended Complaint sets out allegations in paragraphs 111-130 regarding the animus expressed by Township residents against the Orthodox Jewish community as well as the Township's willingness to enact laws in response.

From the documents produced by the Defendant Township in response to Plaintiffs' First Request for Production of Documents, the Plaintiffs learned for the first time there exists a Quality of Life Task Force (“Task Force”) in the Township (e.g. TOMSRIVER\_ESI006201-TOMSRIVER\_ESI006202 TOMSRIVER\_ESI006201). Based on a document produced in Defendant Township's Response to Plaintiffs' Second Request for Production of Documents—TOMS RIVER\_BB\_0000174—the Task Force was founded in the period of time mentioned in paragraphs 111-130 and just before the Subject Property (as defined in ECF No. 61 ¶ 1) was purchased in December of 2017. This Request seeks documents related to the Quality of Life Task Force which are relevant to the Plaintiffs' claims regarding the hostility to houses of worship in the Township. Furthermore, Plaintiffs are within their rights to inquire further into information that becomes known to them during the course of the discovery process. Pursuant to the standard set forth in Federal Rule of Civil Procedure 26(b)(1), please provide the information sought.

*3. All documents, including communications, reflecting the members of the “Quality of Life Task Force.”*

**RESPONSE:** See General Objections. Further, this request seeks information that is not relevant to the claims advanced by Plaintiff's in their First Amended Complaint. Defendants further object to this request insofar as it is unduly burdensome and not likely to lead to the discovery of relevant admissible evidence. However, in an effort to be responsive to this request Plaintiffs are directed to the attached documents, specifically TOMS RIVER\_BB\_0000174 as well as the forthcoming ESI Production.

**Plaintiffs' objection:** This Response is non-responsive. This Request seeks documents that are readily available to the Defendant Township and are relevant to Plaintiffs' claims. The First Amended Complaint sets out allegations in paragraphs 111-130 regarding the animus expressed by Township residents against the Orthodox Jewish community as well as the Township's willingness to enact laws in response. From the documents produced by the Township in response to Plaintiffs' First Request for Production of Documents, the Plaintiffs learned for the first time there exists a Quality of Life Task Force ("Task Force") in the Township (e.g. TOMSRIVER\_ESI006201-TOMSRIVER\_ESI006202 TOMSRIVER\_ESI006201). Based on a document produced in Defendant Township's response to Plaintiffs' Second Request for Production of Documents—TOMS RIVER\_BB\_0000174—the Task Force was founded in the period of time mentioned in paragraphs 111-130 and just before the Subject Property (as defined in ECF No. 61 ¶ 1) was purchased in December of 2017. Furthermore, Plaintiffs are within their rights to inquire further into information that becomes known to them in the discovery process. Pursuant to the standard set forth in Federal Rule of Civil Procedure 26(b)(1), please provide the information sought.

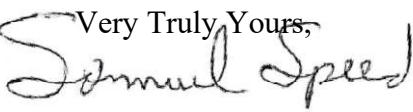
4. *All documents, including communications, regarding the formation of the "Quality of Life Task Force."*

**RESPONSE:** See General Objections. Further, this request seeks information that is not relevant to the claims advanced by Plaintiff's in their First Amended Complaint. Defendants further object to this request insofar as it is unduly burdensome and not likely to lead to the discovery of relevant admissible evidence. However, in an effort to be responsive to this request Plaintiffs are directed to the attached documents at TOMS RIVER\_BB\_0000174, 0000179 as well as the forthcoming ESI Production.

**Plaintiffs' objection:** This Response is non-responsive. This Request seeks documents that are readily available to the Defendant Township and are relevant to Plaintiffs' claims. The First Amended Complaint sets out allegations in paragraphs 111-130 regarding the animus expressed by Township residents against the Orthodox Jewish community as well as the Township's willingness to enact laws in response. From the documents produced by the Township in response to Plaintiffs' First Request for Production of Documents, the Plaintiffs learned for the first time there exists a Quality of Life Task Force ("Task Force") in the Township (e.g. TOMSRIVER\_ESI006201-TOMSRIVER\_ESI006202 TOMSRIVER\_ESI006201). Based on a document produced in Defendant Township's response to Plaintiffs' Second Request for Production of Documents—TOMS RIVER\_BB\_0000174—the Task Force was founded in the period of time mentioned in paragraphs 111-130 and just before the Subject Property (as defined in ECF No. 61 ¶ 1) was purchased in December of 2017. Furthermore, Plaintiffs' are within their rights to inquire further into information that becomes known to them in the discovery process. Pursuant to the standard set forth in Federal Rule of Civil Procedure 26(b)(1), please provide the information sought.

Finally, on July 7, 2023, Defendant Township produced documents in PDF format in its response to Plaintiffs' Second Set of Requests for Production of Documents. Pursuant to the Court's Order of January 3, 2023 (ECF No. 58 at 4), please produce the documents identified as

TOMS RIVER\_BB\_0000174-TOMS RIVER\_BB\_0000185 in Native File Format. As currently produced, the documents do not include Metadata.

Very Truly Yours,  
  
Samuel Speed

cc: Counsel of Record via email